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June 7, 2000

LAWRENCE A. MAIERUS

EMAIL: LMAIERUS@FENWICK.COM
DIRECT DIAL: 650-494-1752**VIA FEDEX****FAX RECEIVED**

NOV 27 2000

Dan Meissburger
1507 Montalder Drive
San Jose, CA 95120-4830**PETITIONS OFFICE**

RE: U.S. Reissue Application for U.S. Patent No.: 09/502,534
Title: Inspecting Optical Masks With Electron Beam Microscopy
Filed: February 10, 2000
Inventor: Dan Meissburger, Paul Sandland, Alan D. Brodie, Zhong-Wei Chen, Jack Y. Jau, Richard Simmons, Dave E. A. Smith, Hans Dohse, Dennis G. Emge, John Greene
Our Ref.: 4765 (22120-04765)

U.S. Reissue Application for U.S. Patent No.: 09/502,120
Title: Inspecting Optical Masks With Electron Beam Microscopy
Filed: February 10, 2000
Inventor: Dan Meissburger, Paul Sandland, Alan D. Brodie, Zhong-Wei Chen, Jack Y. Jau, Richard Simmons, Dave E. A. Smith, Hans Dohse, Dennis G. Emge, John Greene, Lee Vencklaes
Our Ref.: 4764 (22120-04764)

Dear Sir:

You may be aware that KLA-Tencor recently filed a "Request for Reissue" for the above-referenced patents. You are listed as an inventor on at least one of these reissue applications. Copies of these reissue applications are enclosed.

Please review the enclosed reissue applications, paying special attention to the claims (which provide the legal definition of the invention) and let us know by June 30, 2000, if you think that either of the applications fail to name the correct inventors for the claimed inventions. An inventor is a person who contributed to the invention of the subject matter of at least one claim.

In addition this letter is a reminder of your duty, under Title 37, Code of Federal Regulations, §1.56(a), to disclose to the United States Patent and Trademark Office (USPTO) any information you are aware of that is material to the examination of this patent application.

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We request that you send such information to us as soon as possible for review and, if necessary, filing in the U.S. Patent and Trademark Office. The rest of this letter explains your duty in greater detail.

Who Has A Duty to Disclose? All individuals associated with the filing or prosecution of the application have a duty of candor and good faith toward the USPTO, including a duty to disclose material information of which they are aware. These individuals include:

- each inventor;
- each attorney or agent who prepares or prosecutes the application;
- every other person who is substantively involved in the preparation or prosecution of the application; and
- individuals other than the attorney, agent or inventor, who have disclosed information to the attorney, agent or inventor.

We regularly satisfy the obligation of these individuals by preparing and sending an Information Disclosure Statement (IDS) to the PTO after filing an application.

What Information Should be Disclosed to the PTO? You should disclose any publication of which you are aware that describes a device or method similar to that claimed in the parent application, or that discloses a significant concept or feature of the invention. Publications include, for example, patents, articles, promotional literature, user manuals, conference proceedings, and files publicly available anywhere on the Internet, the World Wide Web, or any other computer service or network.

Are Publications and Patents the Only Items to Disclose? No. You should disclose any public use, public disclosure, sale or offer for sale of the invention or any similar device that occurred in this country more than one year prior to the filing date of the application. A public use or disclosure is one made to others who are not under an obligation of confidentiality. Offers for sale may include promotional displays, marketing tests, price lists, beta tests, or other acts indicating an intent to commercialize the invention, whether made in public or under a non-disclosure agreement. You should also disclose any knowledge or use of the invention by others in this country, of which you are aware, prior to your date of invention.

Do I Have to Disclose My Own Publications or Patents? Yes. You should submit all publications, patents, or other information, even if you are the author or inventor.

Do I Have to do a Search? No. You have to disclose only that material information of which you are aware. You do not have to search actively for such information. However, we suggest that you thoughtfully consider any publications you have access to, and any public uses, public disclosures, sales, and offers for sale which may have been made by the company, by you, or by others associated with you.

What Happens if I Don't Disclose Information of Which I am Aware? Failure to make a full disclosure, as described above, may seriously jeopardize the patent owner's ability to enforce any patent that might issue. Willful failure to provide pertinent information may be grounds for invalidating any subsequently issued patent and may result in an action for damages against the patent owner. Reasonable doubts as to an item of information should be resolved in favor of disclosing it to us for our review so that we can determine whether it should be disclosed to the USPTO.

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How Long Does The Duty Of Disclosure Last? The duty of disclosure is an ongoing duty throughout the pendency of the patent application. Accordingly, if you become aware of any material information at any time before the patent issues, you should promptly forward it to us for timely submission to the USPTO.

Please contact me at (650) 858-7152 if you have any questions or comments regarding this or other matters.

Sincerely,
FENWICK & WEST LLP

Laura Majors

Laura A. Majors

LAM/dkc

Exhibit A

FAX RECEIVED

NOV 27 2000

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edex USA Airbill 154 8369 5649

June 8, 2000 *Scanned Fwd* 0951-1489-7
Laura Majerus (650) 494-0600
FENWICK & WEST LLP
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7. **Customer Billing References** SECTION 1

— Dan Meisburger

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